


CERTIFICATION OF MAILING

I hereby certify that the attached patent application (along with any other paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on this date April 16, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL798605285US** addressed to the: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

April 16, 2001

Date


Himanshu S. Amin**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicants: Joerg Schlieffers *et al.*

Examiner: Daniel Previl (Anticipated)

Serial No: Not Assigned
Continuation of U.S. 09/528,239

Art Unit: 2632 (Anticipated)

Filing Date: Herewith

Title: DATA ACQUISITION APPARATUS

Box Patent Application
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to performing substantive examination of the subject patent application, entry of the herein amendments is respectfully requested.

CLEAN VERSION OF AMENDMENT AND ALL PENDING CLAIMS**In the Specification**

At page 1, under SPECIFICATION, please insert the following:

--REFERENCE TO RELATED APPLICATIONS

This application is a continuation of pending U.S. Patent Application Serial No. 09/528,239, filed March 17, 2000 entitled "Data Acquisition Apparatus", which is a continuation of U.S. Patent Application Serial No. 09/436,169, filed November 9, 1999, entitled "Data Acquisition Device Having a Resilient Seal Interposed Between the Head Portion and the Handle Portion for Rest Stand, and issued as U.S. Patent No. 6,123,265, which is a continuation of U.S. Patent Application No. 08/883,357, filed June 26, 1997 entitled "Data Acquisition Device Having a Resilient Seal Interposed Between the Head Portion and the Handle Portion for Rest Stand", and issued as U.S. Patent No. 5,979,770. --

In the Claims

Please cancel claims 2-13 without prejudice or disclaimer.

Currently pending claims 1 and 14-34:

1. A hand-held optical scanning device, comprising:
a body portion having an optical scanning module arranged to scan objects in a direction which is outward from a first distal end, said body portion including an upper surface having a display mounted thereof, and
a handle portion extending from a bottom surface of said body portion, said handle portion being joined to said body portion at a location near said distal end and at a selected angle with

respect to said body portion to cause a proximal end of said bottom surface to rest on a radial surface of a user's hand when the user grasps the handle portion.

14. (New) A hand-held optical scanning device, comprising:

a body including an upper surface having a display mounted thereof;

a handle that extends from a bottom surface of the body, the handle being joined at a selected angle with respect to the body to cause a proximal end of a bottom surface of the body to rest on a radial surface of a user's hand when the user grasps the handle, the handle being configurable to accommodate the user's hand.

15. (New) The hand-held optical scanning device of claim 14, the handle being integrally molded with the bottom of the body.

16. (New) The hand-held optical scanning device of claim 14, comprising a wireless data transmission system for communicating data.

17. (New) The hand-held optical scanning device of claim 16 being operative in a local area wireless network.

18. (New) The hand-held optical scanning device of claim 14, the body including a lower housing member and an upper housing member that forms a cover, a resilient sealing member interposed between the lower housing member and cover to form a dust and moisture resistance seal therebetween.

19. (New) The hand-held optical scanning device of claim 18, the cover including a digital display.

20. (New) The hand-held optical scanning device of claim 14, further comprising a display that is configurable to adapt to a user's preference.

21. (New) A hand-held optical scanning device, comprising:

a body having an optical scanning module arranged to scan objects in a direction outward from a first distal end, the body including an upper surface having a display mounted thereof;
a handle that extends from a bottom surface of the body, the handle being joined to the body to cause a proximal end of a bottom surface of the body to rest on a radial surface of a user's hand so as to mitigate exertion of unsupported force on a grip the handle by force of keystrokes.

22. (New) The hand-held optical scanning device of claim 21, the handle including a trigger.

23. (New) The hand-held optical scanning device of claim 21, the trigger being a two-finger trigger.

24. (New) The hand-held optical scanning device of claim 21, the trigger facilitating at least one of the following functions: read only, read and store, and scroll menu utility.

25. (New) The hand-held optical scanning device of claim 21, further comprising a resilient member between a lower body member and cover, the resilient member extending a distance beyond the lower body member and cover a substantial portion of a periphery of the body.

26. (New) The hand-held optical scanning device of claim 25, the resilient member providing a bumping surface that protects a user's hand.

27. (New) The hand-held optical scanning device of claim 25, the resilient member providing a bumping surface that protects the device.

28. (New) The hand-held optical scanning device of claim 21, the handle being integrally molded with the bottom of the body.

29. (New) The hand-held optical scanning device of claim 21, comprising a wireless data

transmission system for communicating data.

30. (New) The hand-held optical scanning device of claim 21, the body including a lower housing member and an upper housing member that forms a cover, a resilient sealing member interposed between the lower housing member and cover to form a dust and moisture resistance seal therebetween.

31. (New) The hand-held optical scanning device of claim 30, the cover including a digital display.

32. (New) The hand-held optical scanning device of claim 21, further comprising a display that is configurable to adapt to a user's preference.

33. (New) The hand-held optical scanning device of claim 32, the display being configurable vertically and horizontally.

34. (New) The hand-held optical scanning device of claim 32, the display being configurable to provide portrait and landscape views. --

Remarks

Claims 2-13 have been cancelled from the parent application and new claims 14-34 have been added. As of entry of this preliminary amendment, claims 1 and 14-34 will be pending. The application is now believed to be in condition for substantive examination.

A clean version of pending claims 1 and 14-34 is found at pages 2-5, and a marked up version showing changes is found at pages 7-10 of this preliminary amendment.

In the event any fees are due in connection with submission of this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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MARKED UP VERSION SHOWING CHANGES TO SPECIFICATION AND CLAIMS**In the Specification:**

At page 1, under SPECIFICATION, please insert the following:

--REFERENCE TO RELATED APPLICATIONS

This application is a continuation of pending U.S. Patent Application Serial No. 09/528,239, filed March 17, 2000 entitled "Data Acquisition Apparatus", which is a continuation of U.S. Patent Application Serial No. 09/436,169, filed November 9, 1999, entitled "Data Acquisition Device Having a Resilient Seal Interposed Between the Head Portion and the Handle Portion for Rest Stand, and issued as U.S. Patent No. 6,123,265, which is a continuation of U.S. Patent Application No. 08/883,357, filed June 26, 1997 entitled "Data Acquisition Device Having a Resilient Seal Interposed Between the Head Portion and the Handle Portion for Rest Stand", and issued as U.S. Patent No. 5,979,770. --

In the Claims:

Please cancel claims 2-13 without prejudice or disclaimer.

Please amend claim 1 as follows:

1. A hand-held optical scanning device, comprising:

a body portion having an optical scanning module arranged to scan objects in a direction which is outward from a first distal end, said body portion including an upper surface having a display mounted thereof, and

a handle portion extending from a bottom surface of said body portion, said handle portion being joined to said body portion at a location near said distal end and at a selected angle with respect to said body portion to cause a proximal end of said bottom surface to rest on a radial surface of a user's hand when the user grasps the handle portion.

Please add new claims 14-34 as indicated below:

--14. (New) A hand-held optical scanning device, comprising:

a body including an upper surface having a display mounted thereof;

a handle that extends from a bottom surface of the body, the handle being joined at a selected angle with respect to the body to cause a proximal end of a bottom surface of the body to rest on a radial surface of a user's hand when the user grasps the handle, the handle being configurable to accommodate the user's hand.

15. (New) The hand-held optical scanning device of claim 14, the handle being integrally molded with the bottom of the body.

16. (New) The hand-held optical scanning device of claim 14, comprising a wireless data transmission system for communicating data.

17. (New) The hand-held optical scanning device of claim 16 being operative in a local area wireless network.

18. (New) The hand-held optical scanning device of claim 14, the body including a lower housing member and an upper housing member that forms a cover, a resilient sealing member interposed between the lower housing member and cover to form a dust and moisture resistance seal therebetween.

19. (New) The hand-held optical scanning device of claim 18, the cover including a digital display.

20. (New) The hand-held optical scanning device of claim 14, further comprising a display that is configurable to adapt to a user's preference.

21. (New) A hand-held optical scanning device, comprising:

a body having an optical scanning module arranged to scan objects in a direction

outward from a first distal end, the body including an upper surface having a display mounted thereof;
a handle that extends from a bottom surface of the body, the handle being joined to the body to cause a proximal end of a bottom surface of the body to rest on a radial surface of a user's hand so as to mitigate exertion of unsupported force on a grip the handle by force of keystrokes.

22. (New) The hand-held optical scanning device of claim 21, the handle including a trigger.

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26. (New) The hand-held optical scanning device of claim 25, the resilient member providing a bumping surface that protects a user's hand.

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30. (New) The hand-held optical scanning device of claim 21, the body including a lower housing member and an upper housing member that forms a cover, a resilient sealing member interposed between the lower housing member and cover to form a dust and moisture resistance seal therebetween.

31. (New) The hand-held optical scanning device of claim 30, the cover including a digital display.

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